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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/345,903	07/01/1999	FREDERIC P. MESSINGER	CIS-1212	1807
21005	7590	12/10/2004	EXAMINER	
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/345,903

Applicant(s)

MESSINGER ET AL.

Examiner

Mylinh T Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 08/12/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Applicant's Amendment filed 08/12/04 has been entered and carefully considered. Claims 1, 7, 12, 18, 23, 24, 30, However, limitations of amended claims have not been found to be patentable over prior art of record, therefore, claims 1-34 are rejected under the new ground of rejection as set forth below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Habib et al. [US. 5,825,356].

As to claims 1, 11-12, 22-24 and 34, Habib et al. discloses a computer implemented method and corresponding apparatus for providing software training and technical support to an end user comprising the steps/means for a graphical user interface having selectable graphical user areas (figure 6) adapted to support multiple different tasks (figure 6, the task "Displaying a Watermark" is one of the task in the list of task, column 3, lines 2-8), each task activated through a respective sequence of steps executed by a user through interaction with the selectable graphical user area (figure 6, 84,

column 3, line 55 through column 4, line 15); a graphical overlay positioned over said graphical user interface (figure 6, 82) the graphical overlay including a first step indication associated with a first step in a given task directing the user's attention to a first selectable graphical user area and a next step indication associated with a next step in the given task displayed upon the user's completion of the first step (column 4, lines 1-56) and the next step in the given task automatically displayed upon the user's completion of the first step (column 4, lines 15-20, "In the lower left-hand corner of the help window is a "do it all" button. This button causes the help system to complete each step in the list of steps so the user can watch.."; and descriptor, corresponding to the steps and distinct from the graphical user areas indicating which step is being completed (figure 6, 86, column 4, lines 1-15, "Adjacent each step in the list is an indicator that shows whether the step has been completed....After the user has completed a step, the help system changes the status of the indicator adjacent the step to confirm that the step was properly accomplished". Although Habib et al. discloses the step that being completed, they do not explicitly mention the step being performing. However, it is well known in the state of the art that if the user know which step is completed, then the next step will be performed because the steps are arranged sequence. Beside, applicant's attention is directed to the lines "this button causes the help system to complete each step in the list of steps so the user can watch". It is clear that there is an indication

associated with the step in a task to direct the user's attention to watch. **The Examiner takes OFFICAL NOTICE.** It would have been obvious to one of ordinary skill in the art, having the teachings of Habib et al. before him, the descriptor, corresponding to the steps and distinct from the graphical user areas indicating which step is being completed of Habib et al. to be the descriptor to indicate which step is being performed in order to help the user use the help system in a enhanced way, as made known in the state of the art. Besides, although Habib et al. does not show the highlighting to indicate which step is being performed, Habib et al. teaches the indicator to show whether the step has been completed. **The Examiner takes OFFICAL NOTICE.** It would have been obvious to one of ordinary skill in the art, having the teachings of Habib et al. before him, the highlighting, corresponding to the steps and distinct from the graphical user areas indicating which step is being completed of Habib et al. to be step indicator to indicate which step is being performed in order to help the user use the help system in a enhanced way, as made known in the state of the art.

As to claims 2, 13 and 25, Habib et al. teaches a list of task indication selectable by a user, wherein the list of task indications dynamically changes as a function of the selectable graphical areas being displayed in said graphical user interface (column 3, lines 1-8 and column 4, lines 3-32).

As to claims 3, 14 and 26, Habib et al. also shows the list of task indications is capable of being positioned apart from said graphical user interface window with which it is coupled (figure 6, 84).

As to claims 4, 15 and 27, Habib et al. demonstrates the tasks displayed in said list of task indications is a function of a mode setting, wherein a mode setting contains at least one setting including a beginner, an intermediate, and an advanced mode setting ("do it all" for beginner, "show me" for intermediate). Although Habib et al. teaches "do it all" and "show me" functions, they do not explicitly mention about a mode setting contains at least one setting including a beginner, an intermediate, and an advanced mode setting. However, Office Notice is taken that implementation of the mode setting is well known in the art. It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well know implementations of the mode setting to Habib et al. Motivation of the combine is for the help system to adapt to all the user's skills.

As to claims 5, 16 and 28, Habib et al. teaches the tasks represented in said list of task indications are user-privilege specific (column 3, lines 2-8, "open a file, saving work...).

As to claims 6, 17 and 29, although Habib et al. the user privilege being consistent with the user-privilege with opening a file, saving work, changing the parameters of the program, selecting preferred options..., they do not explicitly mention about the user privilege being consistent with the user-

privilege in a data communication network. However, it is well known in the state of the art that this is a designer choice, the user privilege being consistent with the user-privilege in the data communication network. **The Examiner takes OFFICAL NOTICE.** It would have been obvious to one of ordinary skill in the art, having the teachings of Habib et al. before him, the user privilege being consistent with the user-privilege in a data communication network is implemented in other tasks such as opening a file, saving work..... of Habib et al. in order for the user to get help from the help system to fulfill the task of communication network, as made known in the state of the art.

As to claims 7, 18 and 30, Habib et al. also discloses the list of task indications being replaced by descriptors associated with a selected task indication in response to user selection (figure 6, 84).

As to claims 8, 19 and 31, Habib et al. teaches the graphical overlay being invisible other than the indication being displayed (figure 6).

As to claims 9, 20 and 32, Habib et al. also teaches the indications displaying includes an information box including at least one of the following: recommended input, required input, example input, subsequence list, and a description of what to expect next (column 4, lines 48-56).

As to claims 10, 21 and 33, Habib et al. teaches the text file couple to the step indication. Habib et al. fails to teach the recorded voice files or a text-to-speech synthesizer coupled to the sequence of instructions, wherein

the instruction being displayed is simultaneously presented audibly.

However, Official Notice is taken that implementations of the recorded voice files are well known in the art. It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementations of the recorded voice files to Habib et al. Motivation of the combine is for the user to hear a help message instead of seeing the help step.

Response to Arguments

Applicant's arguments with respect to claims 1, 12 and 23-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238, may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-4395 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Heather Herndon, can be reached on (703) 308-5186.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

Art Unit 2179

BA HUYNH
PRIMARY EXAMINER